

EXPRESS TERMS
Requesting Information from the Department
Title 13, Article 5,
Sections 350.36, 350.38, 350.40, 350.44, and 350.46

§350.36. Casual Requests for Information.

(a) ~~As permitted in this article, a~~ casual requester may submit a request for information in person, at any Field Operations Division's public field office, ~~or by mail or electronic interface with the department's Internet website at any office of the department.~~ The request shall ~~be made in writing and shall~~ include the following information:

- (1) The name of the requester.
- (2) The residence or business address and telephone number of the requester.
- (3) The reason the information is requested.
- (4) The intended use of the information requested.
- (5) If residence address information is requested, the specific reasons such information is being requested, and, the regulation, federal or state statute, identified by code name and section number, or rule of court that requires the department to release the residence address information.
- (6) If mailing address information is requested, the reason such information is being requested. Acceptable reasons are for use in connection with assessment of driver risk or ownership of vehicles or vessels.

(b) ~~Whether submitted by mail or in person, A~~ a casual requester's request for information must include the following points of identification about ~~of~~ the record requested:

- (1) For vehicle registration information the points of identification may be the license plate number or vehicle identification number; or the owner's name and full address. If the request is made in conjunction with a vehicle lien sale the points of identification shall include the vehicle identification number, make, and year model of the vehicle being sold.
- (2) For vessel registration information the points of identification may be the vessel registration number or hull number.
- (3) For driver's license or identification card information the points of identification may be either the full name and date of birth or the full name and driver's license number or the full name and identification card number.
- (4) For financial responsibility information the points of identification may be the date, time and location of accident; the full name of either driver involved; the driver's license number of either driver; the license plate number of a vehicle involved; the financial responsibility number assigned by the department; or any combination thereof.
- (5) For occupational licensing information the points of identification may be the full name of the licensee, the name under which the licensee does business, the occupational license number, or any combination thereof.

NOTE: Authority cited: Sections 1651 and 1810, Vehicle Code; and Section 1798.26, Civil Code. Reference: Section 1798.26, Civil Code; Sections 1808.21, 1808.22, 1808.23, 1808.45, 1808.46, 1808.47, 1810, 1810.2, 1811, Vehicle Code; and Section 1, Ch. 1213, Stats. 1989, (AB1779).

§350.38. Identification of Casual Requesters.

(a) No request for information made in person by a casual requester shall be processed until the requester's true identity is established to the satisfaction of the department. Acceptable ~~evidence of~~ identification shall be:

- (1) A ~~valid~~ California driver's license.
- (2) A ~~valid~~ California identification card.
- (3) A ~~valid~~ foreign state driver's license.
- (4) Any other identification cards issued by a governmental agency.
- (5) A ~~valid~~ California State Bar membership card.

(b) No request for information submitted by mail or electronic interface by a casual requester shall be processed until the requester's true identity is established to the satisfaction of the department. Acceptable ~~evidence of~~ identification shall be the requester's:

- (1) ~~The number of the requester's valid~~ California driver's license number.
- (2) ~~The number of the requester's valid~~ California identification card number.
- (3) ~~The number of the requester's valid~~ foreign state driver's license number.
- (4) ~~The number and identity of the requester's valid~~ identification document issued by a governmental entity that identifies the requester by name and contains an assigned identification number.
- (5) ~~The number of the requester's valid~~ California State Bar membership card number.

(c) Additional documentation or security information, as determined by the department, may be requested at the time of the request to ensure the true identity of the casual requester.

NOTE: Authority cited: Section 1798.26, Civil Code; Section 1651, Vehicle Code. Reference: Section 1798.26, Civil Code; Sections 1808.21, 1808.22, 1808.45, 1808.46, 1808.47, 1810, 1810.2, and 1811, Vehicle Code; Section 1, Ch. 1213, Stats. 1989, (AB1779).

§350.40. Release of Information to Casual Requester.

(a) Information may be released to a casual requester either in person, ~~or~~ by mail or electronic interface ~~and~~ as soon as the information request is processed ~~if when~~ the requester is properly identified and ~~is acting in the course of employment for a governmental entity. has satisfied the department that the information is from the requester's own records by providing one of the acceptable identification documents or numbers authorized in Sections 350.38(a) (1) through 350.38(b)(5) of these regulations.~~

(b) ~~Information may be released to a casual requester either in person or by mail and as soon as the information request is processed if the requester is properly identified and has satisfied the department that the information is required without delay to comply with a regulation, rule of court or federal or state statute, and the applicant has furnished the information required by Section 350.36(a)(5).~~

(c) ~~Information may be released to a casual requester who is requesting information pursuant to Section 1808.22(a), 1808.22(b), 1808.22(c), 1808.23(a), 1808.23(b), or 1808.23(c), or by mail and as soon as the information request is processed provided~~

~~that the applicant has furnished the department with the information required by the specific subdivision which permits the request.~~

~~(d) Information may be released to a casual requester either in person or by mail and as soon as the information request is processed if when the requester is properly identified and has satisfied the requirements in Section 350.36 of these regulations department that the information is from the applicant's own record or from the record of a spouse, registered domestic partner as defined in Section 297 of the Family Code or minor child when the department's record reflects the same residence address for the subject of record and the requester.~~

~~(e)(1) Except as provided in subdivision (a), (b), (c) and (d) information shall be released by mail to a casual requester, but not until ten (10) working days from the date the request is received at the department's Information Services Branch. Whether or not release of the information is delayed, the department shall furnish the person to whom the information relates with the name of the person making the request and the identity of the information requested. The address of the person requesting the information shall not be disclosed to the person to whom the information relates. The department shall notify by mail the party about whom information was requested of the identity of the requester and the type of information provided. Notification shall be simultaneous with the release of the information.~~

~~(f) If, during the ten (10) day period referred to in subdivision (e), the department's Office of Information Services receives a written objection to the release of the information from the person to whom the information relates, the department may further delay the release of the information for as long as is necessary to evaluate the objection. If the department determines that the public interest in withholding the information outweighs the public interest in releasing the information, then the information shall not be released. If the department determines that the public interest in releasing the information outweighs the public interest in withholding the information, the information shall be released but only after the person making the objection is notified that the department intends to release the information.~~

~~(g) (c) When whether the request for information is received by mail or in person, the information approved for release to a casual requester may be mailed to the requester at the address furnished by the requester.~~

~~(h) Residence address information shall be deleted from copies of nonelectronically stored records before such copies may be released to any person other than a governmental entity. Copies of nonelectronically stored records shall not be released to those entities defined as the public pursuant to Section 350.02(e).~~

NOTE: Authority cited: Sections 1651 and 1810, Vehicle Code; and Section 1798.26, Civil Code.
Reference: Sections 1808.47, 1810, 1810.7, 1811, 1808.22, and 1808.23, Vehicle Code; Section 1798.26, Civil Code; Section 297, Family Code, Section 6255, Government Code; and Section 1, Ch. 1213, Stats. 1989 (AB1779)

§350.44. Cost of Information.

(a) Information shall be furnished to a governmental entity without charge.

(b) Nongovernmental Commercial Requester Account holders shall be charged for information according to the following schedule:

(1) Two dollars (\$2) for each record requested electronically.

- (2) Five dollars (\$5) for each record requested in writing or by telephone.
- (3) Twenty dollars (\$20) for each copy of a nonelectronically stored record.
- (4) One hundred dollars (\$100) per thousand records for a bulk request for all records which meet a specified criteria not related to a specific person or vehicle.

(c) Casual requesters shall be charged for information according to the following schedule:

(1) Two dollars (\$2) for each record requested by electronic interface with the department's Internet website.

(2) Five dollars (\$5) for each computer printout record requested in person or by mail.

~~(2) (3)~~ Twenty dollars (\$20) for each copy of a nonelectronically stored record.

~~(3) (4)~~ One hundred dollars (\$100) per thousand records for a bulk request for all records ~~which~~ that meet a specified criteria not related to a specific person or vehicle.

NOTE: Authority cited: Sections 1651 and 1810, Vehicle Code; and Section 1798.26, Civil Code. Reference: Sections 1810, 1811, and 1812 Vehicle Code; and Section 1798.26, Civil Code.

§350.46. Payment for Information.

(a) Nongovernmental Commercial Requester Account holders shall be billed monthly, in arrears, for information requested by the Commercial Requester Account holder and processed by the department. The bill shall be payable, in full, upon receipt. If any amount remains unpaid sixty (60) days after the invoice date, the Commercial Requester Account holder's requester codes shall be revoked unless the Commercial Requester Account holder disputes the amount of the bill, in writing, within thirty (30) days of the invoice date. If the amount of the bill is disputed, the Commercial Requester Account holder's requester codes shall not be revoked until thirty (30) days after the department confirms the amount of any disputed bill and rebills the Commercial Requester Account holder.

(b) Casual requesters shall pay ~~in cash, money order, or check~~ at the time the request for information is submitted to the department.

NOTE: Authority cited: Sections 1651 and 1810, Vehicle Code; and Section 1798.26, Civil Code. Reference: Sections 1810 and 1811, Vehicle Code; and Section 1798.26, Civil Code.